

## **APPENDIX J**

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1 redistricting process?  
2 **A. Yes.**  
3 Q. And why did you want to be involved in that?  
4 **A. It was interesting.**  
5 Q. How so?  
6 **A. It was unique and it was legislative and I**  
7 **had not done legislative work policywise.**  
8 Q. How was it unique?  
9 **A. It happens once every ten years.**  
10 Q. That -- that's what you mean by unique?  
11 **A. Yes.**  
12 Q. Had you talked to anyone who had previously  
13 been involved before you kind of reached out  
14 to get involved in that aspect?  
15 **A. That summer, 2010, I asked Jeff Timmer about**  
16 **it.**  
17 Q. Who is Jeff Timmer?  
18 **A. He was also a map drawer.**  
19 Q. In 2010, he was a map drawer?  
20 **A. Yes.**  
21 Q. How do you know Jeff Timmer?  
22 **A. He was my boss at Michigan Republican Party.**  
23 Q. And what was your general discussion with  
24 him in the summer of 2010?  
25 **A. I would like to be involved; do you know how**

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1 that time?  
2 **A. With whom he was working with?**  
3 Q. Right.  
4 **A. No.**  
5 Q. So, did you have any understanding of what  
6 he was doing in the summer of 2010?  
7 **A. No.**  
8 Q. What was your reaction to his kind of answer  
9 to you?  
10 **A. Just sort of okay.**  
11 Q. Well, really? I mean, this was your former  
12 boss, right?  
13 **A. Yes.**  
14 Q. And you're asking him to kind of get  
15 involved in something and he just says  
16 (indicating), is noncommittal, and you're  
17 not disappointed at all?  
18 **A. It was August. I didn't know what -- where**  
19 **life would take me.**  
20 Q. Did you have any followup discussions with  
21 him after August of 2010?  
22 **A. With Jeff Timmer?**  
23 Q. Yes.  
24 **A. No.**  
25 Q. Well, at some point you did, though, right?

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1 **I can get involved?**  
2 Q. You would like to be involved in what?  
3 **A. Redistricting. I was trying to get back**  
4 **into politics.**  
5 Q. And what did he tell you?  
6 **A. He gave me no answer.**  
7 Q. Well, how did he respond?  
8 **A. Just sort of, (indicating), I don't know.**  
9 **That was it. He did not commit one way or**  
10 **the other.**  
11 Q. Well, did you -- did you have a sense that  
12 he was going to be involved in it in 2010?  
13 **A. Yes.**  
14 Q. How did you come to that understanding?  
15 **A. He had mentioned his involvement.**  
16 Q. Okay. So, what did he tell you he was doing  
17 in the summer of 2010?  
18 **A. That he was getting ready for redistricting.**  
19 Q. What was he doing to get ready for it?  
20 **A. I don't know.**  
21 Q. You didn't asked?  
22 **A. No.**  
23 Q. He didn't tell you?  
24 **A. No.**  
25 Q. Did he tell you with whom he was working at

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1 I mean, you've spoken to him since August of  
2 2010, haven't you?  
3 **A. Yes.**  
4 Q. Okay. When did you kind of re-engage in  
5 discussions with him?  
6 **A. Around April 2011.**  
7 Q. Before or after you were hired?  
8 **A. After I was hired.**  
9 Q. Other than Jeff Timmer, is there anyone else  
10 you talked to in 2010 who mentioned that  
11 they were getting ready for the  
12 redistricting plan?  
13 **A. I don't recall.**  
14 Q. Did you -- in your communications with  
15 Jeff Timmer, were they -- did you email him  
16 ever --  
17 **A. No.**  
18 Q. -- before -- I'm sorry, let me just --  
19 **A. Okay, sorry.**  
20 Q. It's somewhat of a broad question.  
21 Before April of 2011 and after you  
22 left the position in 2008, did you ever  
23 email with Jeff Timmer?  
24 **A. No.**  
25 Q. While working at the House of Republicans

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<p>1 that what you're saying?</p> <p>2 <b>A. Correct.</b></p> <p>3 Q. And you have no idea what he spoke to them</p> <p>4 about?</p> <p>5 <b>A. Correct.</b></p> <p>6 Q. And when you say that was his position, what</p> <p>7 do you mean by that? That was one of his</p> <p>8 job responsibilities?</p> <p>9 <b>A. He --</b></p> <p>10 MR. GORDON: You're asking him to</p> <p>11 speculate what Marquardt's responsibilities</p> <p>12 are, but go ahead and answer.</p> <p>13 MS. BUNDY: No, I'm just asking him</p> <p>14 to -- he said that was what he was supposed</p> <p>15 to do, and I'm trying to understand what he</p> <p>16 means by that.</p> <p>17 THE WITNESS: His role was similar</p> <p>18 to that of Dan McMaster's.</p> <p>19 BY MS. BUNDY:</p> <p>20 Q. And -- and my question is: What did you</p> <p>21 mean when you say his role is to speak to</p> <p>22 legislators about the maps? What do you</p> <p>23 mean by that?</p> <p>24 <b>A. That his employers are interested in what</b></p> <p>25 <b>their future districts will look like.</b></p>	<p>1 <b>would be speculative.</b></p> <p>2 Q. Well, what's the basis for thinking that --</p> <p>3 for you thinking that you talked to him</p> <p>4 during that time?</p> <p>5 <b>A. We -- I had seen him at meetings.</b></p> <p>6 Q. Okay. So, you attended meetings with him</p> <p>7 but you don't recall having direct</p> <p>8 discussions with him; is that you're</p> <p>9 saying -- what when you're saying?</p> <p>10 <b>A. I -- I would not recall anything specific</b></p> <p>11 <b>related to redistricting.</b></p> <p>12 Q. You saw him at redistricting meetings?</p> <p>13 <b>A. Yes.</b></p> <p>14 Q. Did you ever have a one-on-one discussion</p> <p>15 with him?</p> <p>16 <b>A. Not that I recall.</b></p> <p>17 Q. And when you saw him at redistricting</p> <p>18 meetings, were you in the presence of</p> <p>19 lawyers?</p> <p>20 <b>A. Yes. Mr. LaBrant is a lawyer and my -- and</b></p> <p>21 <b>Mr. Stuckey and my -- my identified</b></p> <p>22 <b>attorneys were there.</b></p> <p>23 MS. BUNDY: So I'm assuming then,</p> <p>24 Counsel, that any questions I ask about the</p> <p>25 substance of those discussions you're going</p>
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<p>1 Q. And is it your understanding that his role</p> <p>2 was to make sure that they are satisfied?</p> <p>3 <b>A. I don't know.</b></p> <p>4 Q. Okay. Well, I guess we'll get a chance to</p> <p>5 ask him about that.</p> <p>6 Now, did you have any interactions</p> <p>7 with Mr. LaBrant during the map process?</p> <p>8 MR. ELLSWORTH: Mr. Who?</p> <p>9 MS. BUNDY: LaBrant.</p> <p>10 MR. ELLSWORTH: LaBrant? You can</p> <p>11 answer.</p> <p>12 THE WITNESS: Okay. Can you repeat</p> <p>13 the question?</p> <p>14 BY MS. BUNDY:</p> <p>15 Q. Yeah. Did you have any discussions with</p> <p>16 Mr. LaBrant during the map-drawing process?</p> <p>17 <b>A. I don't recall any specifics.</b></p> <p>18 Q. Well, do you think you spoke with him at all</p> <p>19 during that process?</p> <p>20 <b>A. Yes.</b></p> <p>21 Q. Okay. And what do you recall about those</p> <p>22 discussions generally?</p> <p>23 <b>A. I don't know.</b></p> <p>24 Q. You have no recollection?</p> <p>25 <b>A. What we discussed seven and a half years ago</b></p>	<p>1 to object to?</p> <p>2 MR. ELLSWORTH: Yes.</p> <p>3 MS. BUNDY: As attorney/client</p> <p>4 privilege?</p> <p>5 MR. ELLSWORTH: I beg your pardon?</p> <p>6 MS. BUNDY: As attorney/client</p> <p>7 privilege?</p> <p>8 MR. ELLSWORTH: Yes.</p> <p>9 BY MS. BUNDY:</p> <p>10 Q. And you're going to follow your lawyer's</p> <p>11 advice?</p> <p>12 <b>A. Yes.</b></p> <p>13 Q. As I understand your testimony, you never --</p> <p>14 you do not recall speaking with Mr. LaBrant</p> <p>15 without other attorneys present; is that</p> <p>16 correct?</p> <p>17 <b>A. That is what I recall.</b></p> <p>18 Q. Okay. What about during the map-drawing</p> <p>19 process, did you ever interact with</p> <p>20 Mr. Lund?</p> <p>21 <b>A. Yes.</b></p> <p>22 Q. Okay. And in what -- what would lead you to</p> <p>23 interact with him?</p> <p>24 <b>A. He would come into our office and ask how</b></p> <p>25 <b>things were going.</b></p>

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1 would be able to fit in Washtenaw County.  
2 However, only one of those districts would  
3 be winnable -- well, I won't say winnable,  
4 but more favorable to avoid a showdown  
5 between him and Mr. Rick Olson because both  
6 Republicans lived in Washtenaw County.  
7 Q. So what was done to remedy that?  
8 A. Rick Olson was in a separate district from  
9 Mr. Ouimet.  
10 Q. You changed it?  
11 A. I was asked to make that change.  
12 Q. And who asked you?  
13 A. I don't remember exactly.  
14 Q. Is there anyone else it could have possibly  
15 been other than McMaster or Lund?  
16 A. Those were the only two that I reported to  
17 directly.  
18 Q. Well, did anyone, I guess, other than  
19 McMaster or Lund, ever ask you to make a  
20 change to the drawing?  
21 A. Any change I was asked to make came through  
22 primarily Mr. McMaster.  
23 Q. Okay. Primarily Mr. McMaster. Who were the  
24 others?  
25 A. Mr. Lund may have had a suggestion at one

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1 time that I cannot be certain about, but no  
2 one else would tell me what I needed to do.  
3 Q. And I just want to try and contain the box  
4 here. No one else would make a suggestion  
5 to you other than Lund or McMaster; is that  
6 what you're saying?  
7 A. They are the only ones whose directive I  
8 would follow.  
9 Q. Well, did someone else make a suggestion to  
10 you other than them?  
11 A. I don't recall.  
12 Q. Did you follow all of the directives that  
13 Mr. McMaster made to you?  
14 A. As far as I can recall.  
15 Q. Did you ever disagree with a suggestion made  
16 by Mr. McMaster?  
17 A. I don't recall.  
18 Q. Do you recall disagreeing with a suggestion  
19 made by Mr. Lund?  
20 A. I don't recall.  
21 Q. And when you say you don't recall to that,  
22 is it you don't recall one way or another?  
23 A. It would become speculative. I cannot  
24 accurately, you know, transcribe the events  
25 of seven and a half years ago.

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1 Q. Did you communicate by email with Mr. Lund?  
2 A. I emailed him at some time. I just don't  
3 know if it was related to redistricting.  
4 Q. Did you communicate with email -- did you  
5 communicate by email with Mr. McMaster about  
6 redistricting?  
7 A. I provide -- yes, I emailed him.  
8 Q. Okay. And would you provide memos to him on  
9 any of your analysis? And when I say  
10 "memos," I don't mean necessarily just a  
11 formal memo. I mean, did you provide any  
12 substantive text to him by email?  
13 A. Yes.  
14 Q. And what would be the nature of those  
15 emails?  
16 A. Analyzing plans that were submitted.  
17 Q. You mean public plans?  
18 A. Yes.  
19 Q. Any other substantive text that you would  
20 send to Mr. McMaster by email?  
21 A. I don't remember the specifics.  
22 Q. So, for instance, we talked a little bit  
23 about James Township in Saginaw County being  
24 removed so Stacy Erwin Oakes would vote.  
25 Is that the sort of communication

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1 you would have by email with Mr. McMaster or  
2 would that be just in person?  
3 A. I don't know. Is there an email?  
4 Q. I don't know.  
5 A. Neither do I. I don't know where the  
6 conversation was had, if it was an email.  
7 Q. Well, were there any rules put in place  
8 about what you could or could not email?  
9 A. I don't -- I don't believe so.  
10 Q. You didn't feel like you were restricted  
11 from placing certain information in emails  
12 as opposed to just having conversations?  
13 A. Well, I believe that anything that I emailed  
14 my attorneys was protected under privilege.  
15 Q. Yeah, fair enough. I'm talking about you  
16 felt as though you could email Mr. McMaster  
17 freely as opposed to staying away from  
18 emails; is that what you're saying?  
19 A. That we talk in person versus sending  
20 emails?  
21 Q. Right.  
22 A. Again, I don't recall how many emails that I  
23 sent or what the content was.  
24 Q. Well, what was your general practice? Was  
25 your general practice let's talk in person,

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1 you're going over the same territory. He's  
2 tried to answer your -- your question, but  
3 I -- I object to your re-asking the question  
4 over and over again.  
5 BY MS. BUNDY:  
6 Q. Can you answer the question, please.  
7 **A. I answered the question about Mr. Bolger**  
8 **previously.**  
9 Q. I've asked a different question.  
10 MR. ELLSWORTH: No, you're asking  
11 the same question over and over again --  
12 MS. BUNDY: Well --  
13 MR. ELLSWORTH: -- so I object.  
14 MS. BUNDY: -- you can make your  
15 objection. I'm going to ask the question,  
16 and he's going to answer it, or we're going  
17 to get on the phone and call somebody.  
18 Understood?  
19 Now, can you please read back the  
20 question.  
21 MR. GORDON: And limited to factual  
22 data --  
23 MS. BUNDY: Exactly.  
24 MR. GORDON: -- without breach of  
25 any legislative privilege.

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1 (Question read back as requested as  
2 follows:  
3 "Q. Anything relating to -- did you  
4 have any discussion with either Speaker  
5 Bolger or Suzanne Miller Allen about the  
6 district in which the Speaker resided?")  
7 THE WITNESS: I did not speak  
8 directly to him.  
9 BY MS. BUNDY:  
10 Q. Who did you speak with about that?  
11 **A. Dan McMaster relayed information.**  
12 Q. Okay. Yeah, my question -- that's fine.  
13 MS. BUNDY: Now I understand  
14 potentially your objection, but still.  
15 BY MS. BUNDY:  
16 Q. My question was just discussions directly  
17 with Bolger or Suzanne Miller Allen, and you  
18 did not have those discussions about that  
19 district; is that right?  
20 **A. Correct.**  
21 Q. Okay. How many Democrats voted for the  
22 House map; do you remember?  
23 **A. I don't remember exactly.**  
24 Q. Were there any Democrats who a deal was  
25 attempted to be made with them to vote for

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1 the map that they rejected?  
2 **A. I was not involved in legislative**  
3 **discussions.**  
4 Q. Well, do you know?  
5 **A. I couldn't speak to anything specifically.**  
6 Q. So, you have no idea about -- you have no  
7 knowledge as to whether a Democrat rejected  
8 a deal relating to redistricting; is that  
9 your testimony?  
10 **A. Yes, I was not involved in that process.**  
11 Q. Yeah, but as we've talked earlier, you did  
12 learn some things even though you weren't  
13 directly talking to legislators, right?  
14 **A. Yes, but I would not recall that -- those**  
15 **specific conversations.**  
16 Q. Yeah, and I'm not asking for the specific  
17 conversation. I'm just asking for the  
18 results.  
19 **A. I would not know who was directly offered a**  
20 **deal.**  
21 MS. BUNDY: Can you mark this,  
22 please.  
23 (Exhibit 49 was marked.)  
24 MS. BUNDY: Let me have you mark  
25 this one, too, as 50.

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1 (Exhibit 50 was marked.)  
2 BY MS. BUNDY:  
3 Q. Have you had a chance to look at Exhibit 49?  
4 **A. Yes, I'm reading it.**  
5 Q. Okay. So, this is an email that you're  
6 sending to Jeff Timmer and Terry Marquardt,  
7 correct?  
8 **A. Correct.**  
9 Q. This is June of 2011?  
10 **A. Yes.**  
11 Q. Is this -- what is being referenced here --  
12 when it says: "Here is the map that we will  
13 likely use as it doesn't primary two Dems in  
14 Wayne County so long as they vote our way;"  
15 what is being referenced here?  
16 **A. I don't remember the context of the**  
17 **conversation.**  
18 Q. Well, we're talking about Wayne County,  
19 right?  
20 **A. Yes.**  
21 Q. Are we talking about Doug Geiss and  
22 Paul Clemente?  
23 **A. I don't know because it does not indicate**  
24 **that.**  
25 Q. Okay. Well, do you recall why you're

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1 speaking with Mr. Timmer about this?  
2 **A. I don't remember exactly why.**  
3 Q. Well, Mr. Timmer was responsible for the  
4 congressional map, right?  
5 **A. Yes.**  
6 Q. To your knowledge, was he involved in  
7 discussions about the House map?  
8 **A. Not -- I don't believe so.**  
9 Q. So sitting here today, you don't know why  
10 you emailed him?  
11 **A. I don't remember why I emailed him in this**  
12 **context.**  
13 Q. How about Terry Marquardt, do you know why  
14 you were emailing him?  
15 **A. I don't remember.**  
16 Q. When it says, "no Wayne primary.ab9," what  
17 does the ab9 mean?  
18 **A. I don't remember. All I know is ab was how**  
19 **things were saved in AutoBound, like Excel,**  
20 **which is xls, ab is related to AutoBound.**  
21 Q. Now, you say here that, "Here's the map that  
22 we'll likely use," and then you say, "so  
23 long as they vote our way." Do you see  
24 that?  
25 **A. Yes, I see that.**

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1 Q. Okay. And -- and was that you making that  
2 decision that this will be the map so long  
3 as they vote our way?  
4 **A. I would not make that final decision.**  
5 Q. So who had told you that?  
6 **A. I don't remember who would have told me that**  
7 **or if anyone.**  
8 Q. Well, what you wrote here, you weren't lying  
9 when you wrote this, were you?  
10 **A. I don't believe I was. Again, it may just**  
11 **be my opinion.**  
12 Q. Was there discussion about essentially  
13 telling certain legislators that if they  
14 didn't support the plan, there would be  
15 adverse consequences to them?  
16 **A. I would not be involved in those**  
17 **discussions.**  
18 Q. And I'm not asking about whether you were  
19 involved in discussions with legislators.  
20 I'm saying, based on what you knew  
21 going on and this email, were certain  
22 Democrats being told that if they don't  
23 adopt the Republican plan, there would be  
24 adverse consequences to them?  
25 **A. That would be speculation that I would not**

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1 **be able to accurately recall.**  
2 Q. So you didn't hear anything of that nature  
3 internally amongst your team?  
4 **A. Not that I recall.**  
5 Q. Okay. So, you would agree with me, though,  
6 that your email suggests that there could be  
7 adverse consequences if these two Dems in  
8 Wayne County don't vote Republicans' way,  
9 correct?  
10 **A. When you say "adverse," do you mean that**  
11 **they would have a primary?**  
12 Q. Yeah.  
13 **A. So that if they didn't vote for it, there**  
14 **would be adverse consequences that they**  
15 **would be in a primary?**  
16 Q. With another Democrat, yeah.  
17 **A. Yes.**  
18 Q. Okay. I mean, are you -- are you suggesting  
19 that a rep who wouldn't have a primary, but  
20 if they didn't vote a way would have a  
21 primary, that that wouldn't be an adverse  
22 consequence?  
23 **A. How -- can you rephrase the question?**  
24 Q. Yeah. I mean, if -- if you're a Democratic  
25 legislator and you have a choice between

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1 having another Democrat run in a primary or  
2 not, you'd prefer not to have to run in the  
3 primary, right?  
4 **A. Yes.**  
5 Q. And so that would be an adverse consequence;  
6 wouldn't it?  
7 **A. Yes.**  
8 Q. Let me have you look at Exhibit 50. Now,  
9 there wasn't an attachment to Exhibit 49,  
10 but we did some metadata searching. We  
11 think that this might be the exhibit, but I  
12 want to know whether you know that or not.  
13 **A. What is it that I'm looking at? And also,**  
14 **the text is illegible.**  
15 Q. Yeah, I know.  
16 **A. Yeah.**  
17 Q. So, you -- I'm just wondering whether you  
18 can verify or not whether this is the  
19 attachment to Exhibit 49. And if you can't,  
20 you can't.  
21 **A. I can't.**  
22 Q. Does it look like Wayne County to you?  
23 **A. Yes.**  
24 Q. Is there anything you can ascertain from  
25 Exhibit 50 that might help us understand

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1 the information and you would have the  
2 running count of what the population was and  
3 other Census information regarding, like,  
4 black -- you know, minority representation.  
5 Q. Could you -- could the software draw a map?  
6 A. Like are you saying that you just said draw  
7 110 maps?  
8 Q. Yeah. Well, you knew you had to have 110  
9 districts, right?  
10 A. Correct.  
11 Q. And could you just tell the software, I want  
12 you to slice-and-dice, you know, 110  
13 districts so that the population is plus or  
14 minus 5 percent?  
15 A. I don't believe that was possible.  
16 Q. So, then, how did you use the software to  
17 help you draw the lines?  
18 A. It provided the Census information so that  
19 we would know total population of the  
20 districts.  
21 Q. Maybe it will help if we have an example.  
22 (Exhibit 52 was marked.)  
23 BY MS. BUNDY:  
24 Q. Okay. So, I'm showing you what's been  
25 marked Exhibit 52. This would have been --

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1 A. The majority of what we're looking at is  
2 unchanged from -- from the 2011/2001, so  
3 this section looks mostly the same because  
4 if we were to look at the 2011 map. So  
5 again, a lot of these districts stayed  
6 consistent.  
7 Now, I will say that in Kalamazoo,  
8 the population grew, which is why those two  
9 districts had a change. Kalamazoo increased  
10 in their population between the 10-year  
11 period.  
12 Q. Okay. So, then you had the Census data  
13 before you did the first draft?  
14 A. I couldn't have drawn anything without the  
15 Census data.  
16 Q. Yeah, I'm just -- you told me earlier that  
17 you didn't have it when you drew the first  
18 draft. I just want to make sure --  
19 A. I don't believe that is what I said.  
20 Q. Okay. That's fine. You had the Census  
21 data. Okay. So, you --  
22 A. Yeah.  
23 Q. -- had the Census data, you had this map,  
24 you had the Apol standard.  
25 So how did you draw the first

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1 this is, again, just what we pulled from the  
2 Secretary of State Website. It's from 2001,  
3 the 2001 map.  
4 I want to focus on District 62 and  
5 63 as an example, okay?  
6 A. Okay.  
7 Q. So, you were involved in drawing the lines  
8 for 2011 for these two districts?  
9 A. Yes.  
10 Q. All right. So, this is what you received  
11 for 62 and 63 from 2001?  
12 A. Yes.  
13 Q. It looks different in 2011?  
14 A. Correct.  
15 Q. Okay. Take -- did you have different  
16 iterations of 62 and 63 from your initial to  
17 your final draft?  
18 A. I would -- I would imagine so.  
19 Q. Okay. So, just -- I want to just figure out  
20 how you looked at a 2001 map and came up  
21 with your first draft for 62 and 63.  
22 And if that's not a good example,  
23 if there's another district on here you want  
24 to pick instead, that's fine. I just want  
25 to understand what -- what you did.

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1 draft, which relates to 62 and 63?  
2 A. I don't remember how it looked the first  
3 time.  
4 Q. Well, but take me through the steps.  
5 Regardless of how it looked, take me through  
6 the steps. You have the population data,  
7 you have what it looks like.  
8 How do you decide where to draw the  
9 lines for your first draft?  
10 A. I would not be able -- I don't recall  
11 clearly of the methodology of what I did  
12 seven and a half years ago.  
13 Q. Okay. Is there any document that would help  
14 you recall that?  
15 A. I don't know.  
16 Q. Well, let's -- let's pick a different --  
17 let's pick a different number, then. Let's  
18 look at Monroe.  
19 A. Okay.  
20 Q. Monroe looks different between 2001 and  
21 2011, right?  
22 A. Correct.  
23 Q. Okay. Same questions. And if this is not a  
24 good example, tell me. I'm just looking for  
25 what might be a good example to help me



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<p style="text-align: right;">Page 178</p> <p>1 <b>A. I don't recall.</b></p> <p>2 Q. Are you familiar with District 14 identified</p> <p>3 there?</p> <p>4 <b>A. Yes.</b></p> <p>5 Q. And who holds that seat?</p> <p>6 <b>A. Brenda Lawrence.</b></p> <p>7 Q. What party is she with?</p> <p>8 <b>A. Democrat.</b></p> <p>9 Q. And are you -- have you talked to anyone</p> <p>10 about the shape of that district?</p> <p>11 <b>A. Not that I recall.</b></p> <p>12 Q. Would you agree with me that that's an</p> <p>13 odd-shaped district?</p> <p>14 <b>A. I don't know if -- I can't really define</b></p> <p>15 <b>what's odd and not.</b></p> <p>16 Q. Well, that was part of your job was drawing</p> <p>17 compact districts, right?</p> <p>18 MR. GORDON: Objection. He stated</p> <p>19 that he has no knowledge of why this was</p> <p>20 drawn that way. Go ahead and answer if you</p> <p>21 know.</p> <p>22 BY MS. BUNDY:</p> <p>23 Q. Part of your job was to draw compact</p> <p>24 districts if you could, right?</p> <p>25 <b>A. That was -- that was -- that was on the</b></p>	<p style="text-align: right;">Page 180</p> <p>1 MR. GORDON: I'm sorry. Is your --</p> <p>2 your question is whether Timmer drew any of</p> <p>3 those?</p> <p>4 MS. BUNDY: That ended up in his</p> <p>5 possession.</p> <p>6 MR. GORDON: Thank you.</p> <p>7 MR. ELLSWORTH: I'm sorry, that</p> <p>8 ended up in his what?</p> <p>9 MS. BUNDY: Possession.</p> <p>10 THE WITNESS: Anything that he drew</p> <p>11 that I received a copy of?</p> <p>12 BY MS. BUNDY:</p> <p>13 Q. Yeah.</p> <p>14 <b>A. Like in terms of the final product?</b></p> <p>15 Q. At any point in time, did he draw something,</p> <p>16 before the maps were finalized -- okay.</p> <p>17 Before all the maps were finalized,</p> <p>18 did Timmer draw any district and that</p> <p>19 drawing made its way to you?</p> <p>20 <b>A. I don't recall.</b></p> <p>21 <b>(Exhibit 69 was marked.)</b></p> <p>22 <b>(Exhibit 70 was marked.)</b></p> <p>23 BY MS. BUNDY:</p> <p>24 Q. Showing you Exhibit 70, this is an email</p> <p>25 between Jeff Timmer and your boss,</p>
<p style="text-align: right;">Page 179</p> <p>1 <b>checklist, but it was lower on the scale</b></p> <p>2 <b>compared to meeting VRA, and also I did not</b></p> <p>3 <b>draw this district.</b></p> <p>4 Q. I know. I'm not asking -- I'm just -- what</p> <p>5 you're telling me is you can form no opinion</p> <p>6 about whether this district -- based on your</p> <p>7 experience map drawing, whether this</p> <p>8 district looks odd to you or not --</p> <p>9 odd-shaped or not; is that what you're</p> <p>10 saying?</p> <p>11 <b>A. I'm not in a position to make any comment on</b></p> <p>12 <b>it.</b></p> <p>13 Q. Just by looking at it, you don't want to</p> <p>14 comment on it; is that what you're saying?</p> <p>15 <b>A. Correct.</b></p> <p>16 Q. Did you receive -- did Jeff Timmer do any</p> <p>17 drawings that you ultimately ended up</p> <p>18 receiving?</p> <p>19 <b>A. What do you mean?</b></p> <p>20 Q. Did he draw any districts that you</p> <p>21 ultimately ended up receiving?</p> <p>22 <b>A. For the State House?</b></p> <p>23 Q. For any -- for any district or House -- for</p> <p>24 any district in Michigan, whether House,</p> <p>25 Senate or congressional?</p>	<p style="text-align: right;">Page 181</p> <p>1 Dan McMaster, as well as Bob LaBrant, and it</p> <p>2 says: "A gift from my friends in the House</p> <p>3 GOP." Let me know when you've had a chance</p> <p>4 to read what he writes there.</p> <p>5 <b>A. (Perusing.) Yes, I've read it.</b></p> <p>6 Q. Okay. Do you remember receiving this email?</p> <p>7 <b>A. I was not on this email chain.</b></p> <p>8 Q. Yeah, I know. What I don't know is whether</p> <p>9 this email made its way to you.</p> <p>10 <b>A. I don't know about the email but the</b></p> <p>11 <b>specifics of the district described, yes.</b></p> <p>12 Q. And what do you recall about that?</p> <p>13 <b>A. What I recall specifically about the</b></p> <p>14 <b>district? I have to check with previous</b></p> <p>15 <b>drafts and kind of compare the two notes</b></p> <p>16 <b>but --</b></p> <p>17 Q. So, you had a draft of the map at the</p> <p>18 time -- around end of May; is that what</p> <p>19 you're saying?</p> <p>20 <b>A. Yes.</b></p> <p>21 Q. Okay. So, we know that, kind of putting</p> <p>22 that timeline together, at least you had</p> <p>23 your first draft by May 27th, right?</p> <p>24 <b>A. There was a draft, right.</b></p> <p>25 Q. So, it may have been a second draft?</p>



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1 **A. I don't remember.**  
2 Q. Right. And do you recall Mr. Timmer making  
3 the suggestion of how Districts 91 and 92  
4 should look?  
5 **A. I don't remember that conversation.**  
6 Q. Well, do you remember a conversation where  
7 Mr. Timmer had been suggesting how Muskegan  
8 should look?  
9 **A. Again, going back seven and a half years,**  
10 **I'm not sure I can recall that conversation.**  
11 Q. Do you recall this concept being discussed?  
12 **A. Yes.**  
13 Q. Who do you recall discussing this with,  
14 Mr. McMaster?  
15 **A. Yes.**  
16 Q. Okay. And did you ultimately implement a  
17 map that splits no MSDs in Muskegan, keeps  
18 Muskegan, Muskegan Heights, Muskegan  
19 Township in a Dem district, keeps White  
20 River Township in the 91st, and also gives  
21 Holly Hughes a new district?  
22 **A. Yes.**  
23 Q. And do we see that reflected in Exhibit 69?  
24 **A. Yes.**  
25 Q. And is Holly Hughes, then, a Republican?

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1 drawn here as made up of the most Republican  
2 areas of the county?  
3 **A. Exactly -- are you saying that it's a**  
4 **Republican district or --**  
5 Q. I'm saying if you look at the precinct  
6 information for --  
7 **A. District.**  
8 Q. -- District 67, 68 and 69, Ingham County,  
9 that the most Republican areas of that  
10 county are found within 67 as drafted?  
11 **A. Correct.**  
12 Q. Can you just find -- I don't remember the  
13 exhibit number -- the 2011 Detroit and  
14 vicinity map?  
15 MR. GORDON: 68.  
16 MS. BUNDY: 68, thank you.  
17 BY MS. BUNDY:  
18 Q. So, we talked earlier about District 25. If  
19 you want to just look at it quickly there.  
20 **A. Yeah.**  
21 Q. Do you know where Mr. Clark resides in this  
22 county -- or in this district?  
23 **A. Mr. Clark?**  
24 MR. GORDON: I'm sorry, I directed  
25 him to the congressional map. I'm sorry.

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1 **A. Yes.**  
2 Q. Do you recall any other instances where  
3 Mr. Timmer suggested or provided a map of a  
4 district for House GOP?  
5 **A. Outside of what you should showed me, I**  
6 **cannot recall any specific instance.**  
7 Q. Do you recall what the map looked like  
8 before you enacted the changes that are  
9 reflected in Exhibit 70?  
10 **A. No.**  
11 Q. Let's talk about Kent County since we're on  
12 Exhibit 69. Grand Rapids contains two whole  
13 districts, right?  
14 **A. Correct.**  
15 Q. So why was it drawn this way?  
16 **A. I don't remember why.**  
17 Q. Do you remember any discussions with anyone  
18 about it being drawn this way?  
19 **A. No.**  
20 Q. Let's look at -- I think it's Ingham County?  
21 **A. Yes.**  
22 Q. The Lansing box on the right of Exhibit 69;  
23 do you see that?  
24 **A. Yes.**  
25 Q. Would you agree with me that District 67 is

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1 BY MS. BUNDY:  
2 Q. Okay. Let's --  
3 MR. GORDON: It's 69, I believe.  
4 BY MS. BUNDY:  
5 Q. It is 51, actually. Do you see District 25?  
6 **A. Yes.**  
7 Q. Do you know where Mr. Clark resides in  
8 District 25?  
9 **A. No.**  
10 Q. Would it surprise you to learn that he  
11 actually lives at the very southern tip of  
12 that?  
13 **A. I did not know that.**  
14 Q. So, that isn't why you were surprised that  
15 he lost?  
16 **A. I'm surprised that he lost because of**  
17 **polling.**  
18 Q. Okay. What did you use the incumbent list  
19 of addresses for?  
20 **A. The incumbent list of addresses? To see**  
21 **where people popped up in terms of on the**  
22 **map.**  
23 Q. And how did that factor into how you drew  
24 things?  
25 **A. The map had already been drawn by the time**